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IN THE

Supreme Court of the United States

OCTOBER TERM, 1957

No. 578

CORNELL JOEL GROSSMAN, D.D.S., *Petitioner,*

v.

UNITED STATES OF AMERICA, UNITED STATES ATOMIC ENERGY COMMISSION, *Respondents.*

An Appeal From Determination of the United States Court of Appeals, for the District of Columbia Circuit

REPLY TO MOTION TO DISMISS AND MOTION FOR PERMISSION FOR LEAVE TO FILE A WRIT OF CERTIORARI

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Pro Se.

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AS THE INVENTOR WHO FIRST GAVE THE ATOMIC HYDROGEN BOMB FORUMLAS TO THE UNITED STATES, PETITIONER PRAYS THAT THE SUPREME COURT REMAND THIS CASE TO THE UNITED STATES ATOMIC ENERGY COMMISSION FOR JUST COMPENSATION AND RECOGNITION.

REPLY TO MOTION TO DISMISS AND MOTION FOR PERMISSION FOR LEAVE TO FILE A WRIT OF CERTIORARI

The reason this claim should not be dismissed is the importance of the Invention of the Atomic-Hydrogen

Bomb, and the Appellant's giving this Invention to the United States Government.

Failure to properly docket this case was due to an inadvertent misunderstanding on the part of the Appellant who is not an attorney, and has no formal legal education.

The Inventor of this Bomb, the Appellant, wrote to the Supreme Court Clerk to waive the printing of these parts of the cases to maintain Bomb Formula secrecy, and was awaiting reply from the Clerk of the Supreme Court, and did not know case should first be docketed.

Appellant will immediately docket this case properly with a writ of certiorari if the Court so desires.

Appellant will comply with Court rules and requirements for printing the parts of this case as required by the Court.

The Supreme Court is now possessed of the record of this case.

No lawyer has been engaged by the Appellant because of the need for secrecy of the formula of the Atomic-Hydrogen Bombs.

The date the Notice of Appeal was filed is July 1, 1957, in the United States Court of Appeals for the District of Columbia Circuit.

Appellant was granted an extension of time and filed this case which was docketed within the extension of time granted by the United States Court of Appeals, District of Columbia Circuit.

And the Justice Department stated that the Circuit Court was in jurisdiction and that the record of the

case was in the jurisdiction of the United States Court of Appeals and possessed the record even if it did lay with the Supreme Court. This was stated in the prior Motion to Dismiss by the Appellee, therefor this was properly decided.

Rule 16, paragraph 1, says the Appellee should have filed within thirty days of the docketing of this case, so that the Motion to Dismiss of the Appellee is past due and too late. However, Appellant feels that due to the great importance of his invention of the Atomic-Hydrogen Bomb and the fact that in the future this Bomb could make or break our great Nation it would not be proper to dismiss this important invention which is this Case No. 578.

If the Supreme Court were to dismiss this case, it would add to the already low morale of the American inventors of military weapons, who have been treated so shabbily in the past and in the present that foreign nations are out-stripping us.

Appellant has experienced this treatment, and this is reason for the Supreme Court not to continue this treatment by dismissing this case.

A few examples of this treatment are reasons why this Court should give a fair hearing to the inventor. These are:

1. Dr. Cornell Grossman spent $20,000 in the fifty-seven days following Pearl Harbor Day to end World War II quickly with this invention and others.

2. Seven skilled men were employed in his invention machine shop to make and deliver a sample of this invention to the Government at Dr. Grossman's expense. The doctor and his men worked day and night.

3. The Atomic-Hydrogen Bomb formulae were given to the National Inventors Council, the proper department of the United States Government to receive this invention. In response to Mr. Jerome Burke's asking Dr. Grossman for more fire power that the army wanted and that the Government would gladly pay for more fire power. Appellant gave the bomb formula to Mr. Burke in these words—"I have an invention of an atomic-hydrogen bomb. It is made up of powerful chemicals of my own combination, and a fistful detonated would destroy the greater part of any city or the city of Washington." Mr. Burke angrily replied that he was busy, and would Dr. Grossman please leave as he had important work to do. Mr. Burke is a nice man, but did not realize that Dr. Grossman was telling him the truth, and when Appellant insisted that the Government receive his formula, Mr. Jerome Burke said to a man, who had just entered the room, "See what we get when we take a man in off the street—here, you write this stuff down." Dr. Grossman dictated the formula to the second man, who wrote it down on a piece of torn-off wrapping paper.

4. Colonel Dwight D. Eisenhower asked Appellant into his Chief of Anti Tank Office. He, like the Inventors Council, said to Dr. Grossman, "The Government will pay you well for more fire power. Can you give me more fire power to get through the German tank armor in North Africa. I am not interested in your inventions for my problem is more important. Can you solve it for me?" In reply I insisted Colonel Eisenhower write down the formulae for my Atomic-Hydrogen bombs, and begged him to let me make one and drop it on Hitler's head to end the war quickly.

Appellant told Colonel Eisenhower the details and basic principles of making Atomic-Hydrogen Bombs, and the exact chemicals to use, and how to use them.

Appellant told Colonel Eisenhower to apply this explosive formula to his problem and it would penetrate any armor and would destroy anything.

Colonel Eisenhower replied, "No, I will pass this on to the proper people."

5. The Millburn, N. J. Zoning Board stated to Dr. Grossman through its speaker at its meeting on January 23, fifty-seven days after Pearl Harbor Day—

> "You say you have an invention that can end the war quickly, and you dare to compare your invention with those of Thomas A. Edison in importance. Who are you to compare yourself with Edison? We don't care if your invention would end the war tomorrow night, your shop is closed because you are violating the zoning ordinance, and we are seeing to it that you stay closed."

This was in reply to Appellant's request to keep his shop open for military inventions because he had one invention that could end the war within five months of Pearl Harbor Day. The Court can see the importance of not continuing this attitude of the Zoning Board of sticking to technicalities.

Appellant's Atomic H Bomb Formula can be used to propel long distance missiles or bullets with or without modification of this combustible, and explosive formula.

6. The Secretary of War at a later date gave the Appellant a receipt for the Prime Formula of these Atomic Hydrogen Bombs.

Patents based on the Action of Atomic Hydrogen were granted to the Appellant about 18 years ago.

Some of the same chemicals found in the fall-out ashes of the March 1, 1954 H Bomb were used in these Patents.

These fall-out ashes are from Appellant's formula.

Green glasses formed from desert sand under first atomic detonation in New Mexico are green from Appellant's ingredients.

No lawyer has been engaged by Appellant because of the need for secrecy of the formula of the Atomic Hydrogen Bombs.

Appellant was not aware that a writ of certiorari was needed, and filed in the manner he did, hoping to avoid exposing the nature of the bomb by printing a writ of certiorari.

The importance of the aforesaid truths would make it a travesty on justice to dismiss this appeal for the minor technicality. Appellant appeals to the inherent equity jurisdiction of this Court to waive this defect of form; grant the Appellant the right to file the writ if the court so desires; and hear the case on the merits.

Respectfully submitted,

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